

NATIVE AMERICAN HERITAGE COMMISSION

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July 31, 2002

Mr. John Boccio
CPUC Environmental Project Manager
C/O Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

RE: Draft Programmatic Environmental Impact Report (DPEIR), Sempra Communications Telecommunications Development Program (Application No. 00-02-020)

Dear Mr. Boccio:

The Native American Heritage Commission (NAHC) has reviewed the above mentioned Application for a Certificate of Public Convenience and Necessity to implement a Telecommunications Development Program primarily in urbanized areas throughout 15 counties, stretching from Alameda County in the north to Imperial County in the south. It is noted in the document that the cultural resources inventory for the "Area of Project Effect" has not been completed. Also, the exact nature of the undertakings within the APE has not been definitively determined. When those elements are completed the NAHC request copies for review and comment.

D-1

The DPEIR, including Appendix G, "Cultural Resource Procedures", outlines a program for cultural resources assessment and mitigation. Mitigation emphasizes complete avoidance of archaeological resources, which is the mitigation measure primary favored by the NAHC. The document includes provisions for archaeological survey, testing and reporting, Native American consultation, archaeological and Native American monitoring, and provisions addressing inadvertent finds of archaeological resources, including Native American human remains. Curation is also addressed; however, the NAHC requests that culturally affiliated Native Americans participate in decisions regarding the disposition of any Native American artifacts unearthed during the project (other than associated funerary objects, which are addressed under California Public Resources Code). They should also participate in decisions regarding any plans for display and interpretation of any unearthed artifacts, so that they are treated in a culturally sensitive manner.

D-2

If you have any questions, please contact me at (916) 653-4040.

Sincerely,

Rob Wood
Environmental Specialist III

D. NATIVE AMERICAN HERITAGE COMMISSION, ROB WOOD – ENVIRONMENTAL SPECIALIST III

D-1 Comment noted. The Native American Heritage Commission shall be included on review of all work plan submittals for subsequent activities where the Area of Project Effect has been definitely determined.

D-2 Possible substantial effects to human burials from ground disturbing construction operations are discussed in the EIR on page 4.5-25. The text will be revised both in this location and where appropriate in Appendix G, “Cultural Resource Procedures,” to include further language as requested by the commentor as the following:

“Culturally affiliated Native Americans shall participate in decision(s) regarding the disposition of any Native American artifacts unearthed during the project (other than associated funerary objects, which are addressed under California Public Resources Code). They will also participate in decisions regarding any plans for display and interpretation of any unearthed artifacts, so that such artifacts are treated in a culturally sensitive manner.”